

REMARKS/ARGUMENTS

Claims 1-27 are pending in this application. By this Amendment, claims 1-19 are amended, and claims 20-27 are added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claims 4-12 and 15-19 would be allowable if rewritten into independent form. However, for the reasons set forth below, claims 4-12 and 15-19 have not been rewritten in independent form at this time.

II. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claims 1-3 and 13-14 under 35 U.S.C. §102(b) over U.S. Patent No. 4,697,812 to Rudell et al. (hereinafter "Rudell"). The rejection is respectfully traversed.

Independent claim 1 is directed to a dynamic current collector system for a set of toy vehicles. Independent claim 1 recites that the system comprises a track having at least one guide groove formed therein, and a plurality of electroconductive tracks positioned along opposite sides of the at least one guide groove. The system also comprises a plurality of current collector elements positioned on opposite sides of a guide follower flange that is provided at a lower front portion of a vehicle and that extends into the at least one guide groove. The plurality of electroconductive tracks are biased against the plurality of current collector elements by a plurality of elastic elements so as to provide for dynamic electrical contact between the plurality

of electroconductive tracks and the plurality of current collector elements as the vehicle moves along the track with the guide follower flange positioned in the at least one guide groove. Rudell neither discloses nor suggests such features, or the claimed combination of features.

Rudell discloses a slot car and track system 8 including two cars 2 and 4 that run within respective slots 10 and 12 formed in a track 6. Any given segment 26 of the track 6 includes a base portion 22 having two inverted channels 45 and 51 formed on opposite sides of a wide channel 48, and a central channel 24 positioned within the wide channel 48. The slots 10, 12 are defined by the outer lateral sides of the central channel 24 and the outer lateral sides of the inverted channels 45 and 51. Electrical strip conductors 40 and 42 are positioned on the outer lateral sides of the inverted channels 45, 51 and central channel 24, respectively. A slot post 52 extends downward from a bottom of the car and into one of the slots 10, 12 defined by the outer lateral sides of the channels 45, 51 and 24. Wiper members 60 and 61 are provided on opposite sides of a distal end of the slot post 52 to maintain electrical contact with the strip conductors 40, 42 and provide electrical power to the car.

Independent claim 1 requires a plurality of current collector elements positioned on opposite sides of a guide follower flange, and a plurality of electroconductive tracks positioned along opposite sides of at least one guide groove. It is respectfully submitted that the wiper members 60, 61 are positioned at the distal end of the slot post 52, and thus are comparable to the claimed current collector elements, and the strip conductors 40, 42 are positioned along the walls of the slots 10, 12, and thus are comparable to the claimed electroconductive tracks. It is

noted that the electrical strip conductors 40, 42 are fixed in their positions on the lateral walls of the slots 10, 12, and electric power is conveyed from the strip conductors 40, 42, through the wipers 61, 61 and slot post 52, up to the car. Rudell neither discloses nor suggests that the electrical strip conductors 40, 42, or electroconductive tracks, are biased against the wipers 60, 61, or current collector elements, as recited in independent claim 1, let alone that the strip conductors 40, 41 are biased by any type of elastic elements, as recited in independent claim 1.

Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Rudell, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b) over Rudell should be withdrawn. Dependent claims 2-3 and 13-14 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

III. New Claims 20-27

New claims 20-27 are added to the application. It is respectfully submitted that new claims 20-27 meet the requirements of 35 U.S.C. §112. New claim 20 is allowable at least for the reasons set forth above with respect to independent claim 1, from which it depends, as well as for its added features.

New independent claim 21 recites, *inter alia*, a plurality of electroconductive elements positioned along opposite vertical sides of the at least one guide groove, at least one current collector element provided on an outer portion of a guide follower flange that extends downward into the at least one guide groove from a vehicle positioned on the track, and a

plurality of elastic elements that bias the plurality of electroconductive elements toward a central portion of the at least one guide groove so as to selectively establish contact between a contact portion of each of the plurality of electroconductive elements and the at least one current collector element as the vehicle moves along the track with the guide follower flange positioned in the at least one guide groove. As set forth above, Rudell neither discloses nor suggests such features. New claims 23-27 are allowable at least for the reasons set forth above with respect to new independent claim 21, from which they depend, as well as for their added features.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read 'John C. Eisenhart', with a long horizontal flourish extending to the right.

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